

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO**

IN RE

BETZAIDA FERRER ALICEA

DEBTOR(S)

CASE NO. 11-07437-EAG

CHAPTER: 13

MOTION REQUESTING DISMISSAL

TO THE HONORABLE COURT:

Comes now, **RELIABLE FINANCIAL SERVICES, INC.**, holder of a secured claim and Movant herein, and respectfully sets forth and prays:

1. Movant is the holder in due course of a duly executed conditional sales contract over motor vehicle KIA SOUL 2010 registered under number 3710630, executed by debtor(s) on AUGUST 13, 2009.

2. Debtor's(s') Chapter 13 Plan was confirmed on NOVEMBER 10, 2011. Said plan calls for \$330.00 X 18, \$480.00 X 42 each. Movant is proposed to be paid 100% of its claim through the Chapter 13 Trustee's Office (Trustee).

3. However, according to the records made available to creditors by the Trustee, as of today's date, debtor(s) has(have) only paid **\$9,769.00**, out of **\$11,129.00** due.

4. Section 1307 (c) (6) of the Bankruptcy Code provides for the dismissal of a case under chapter 13 for "material default by the debtor with respect to a term of a confirmed plan."

WHEREFORE, Movant requests the dismissal of the instant case since debtor(s) has(have) defaulted on the payments to the Chapter 13 Trustee.

NOTICE TO ALL PARTIES is hereby given to the effect that unless a party in interest objects to the dismissal of this case within thirty (30) days from the date of this notice, the case may be dismissed without a hearing.

CERTIFICATE OF MAILING

I hereby certify that the present motion was filed electronically with the Clerk of the Court using CM/ECF systems which will send notifications of such to the **ALEJANDRO OLIVERAS**, Trustee and **MADELINE SOTO PACHECO**, Debtor(s) Attorney and that we have sent copy of this document through regular mail to Debtor(s) **BETZAIDA FERRER ALICEA, HC 02 BOX 10956 YAUCO, PR 00698** and all non CM/ECF participants interested parties to their address of record.

RESPECTFULLY SUBMITTED,

In San Juan, Puerto Rico this 13 day of NOVEMBER, 2013.

/S/ CARLOS E. PEREZ PASTRANA
USDC-208913
Attorney for Movant
PO BOX 21382
SAN JUAN, PR 00928-1382
TEL. 787-625-6645 FAX: 787-625-4891
cperezp@reliablefinancial.com

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO**

IN RE:

BETZAIDA FERRER ALICEA

DEBTOR(S)

CASE NO. 11-07437-EAG

CHAPTER 13

**MOTION SUBMITTING DECLARATION
UNDER PENALTY OF PERJURY**

Comes now, **RELIABLE FINANCIAL SERVICES, INC.**, holder of a secured claim and Creditor herein and submitting to the Honorable Court the following declaration:

I, **Hildaris B. Burgos Muriel, Bankruptcy Official** for **RELIABLE FINANCIAL SERVICES**, declare under penalty of perjury, the following:

That according to the enclosed certification, provided by Department of Defense Manpower Data Center (DMDC), debtor(s) is(are) not on active military duty nor in the military service and does not fall within the Service Member Civil Relief Act of 2003.

RESPECTFULLY SUBMITTED,

In San Juan, Puerto Rico this 12 day of NOVEMBER, 2013.

/S/Hildaris B. Burgos Muriel
Bankruptcy Official
P. O. Box 21382
San Juan, PR 00928-1382
Tel: (787)625-6647 Fax:(787)625-4891
hburgosm@reliablefinancial.com



Status Report
Pursuant to Servicemembers Civil Relief Act

Last Name: FERRER

First Name: BETZAIDA

Middle Name:

Active Duty Status As Of: Nov-12-2013

On Active Duty On Active Duty Status Date			
Active Duty Start Date	Active Duty End Date	Status	Service Component
NA	NA	No	NA
This response reflects the individuals' active duty status based on the Active Duty Status Date			

Left Active Duty Within 367 Days of Active Duty Status Date			
Active Duty Start Date	Active Duty End Date	Status	Service Component
NA	NA	No	NA
This response reflects where the individual left active duty status within 367 days preceding the Active Duty Status Date			

The Member or His/Her Unit Was Notified of a Future Call-Up to Active Duty on Active Duty Status Date			
Order Notification Start Date	Order Notification End Date	Status	Service Component
NA	NA	No	NA
This response reflects whether the individual or his/her unit has received early notification to report for active duty			

Upon searching the data banks of the Department of Defense Manpower Data Center, based on the information that you provided, the above is the status of the individual on the active duty status date as to all branches of the Uniformed Services (Army, Navy, Marine Corps, Air Force, NOAA, Public Health, and Coast Guard). This status includes information on a Servicemember or his/her unit receiving notification of future orders to report for Active Duty. HOWEVER, WITHOUT A SOCIAL SECURITY NUMBER, THE DEPARTMENT OF DEFENSE MANPOWER DATA CENTER CANNOT AUTHORITATIVELY ASSERT THAT THIS IS THE SAME INDIVIDUAL THAT YOUR QUERY REFERS TO. NAME AND DATE OF BIRTH ALONE DO NOT UNIQUELY IDENTIFY AN INDIVIDUAL.

Mary M. Snavelly-Dixon, Director
Department of Defense - Manpower Data Center
4800 Mark Center Drive, Suite 04E25
Arlington, VA 22350

The Defense Manpower Data Center (DMDC) is an organization of the Department of Defense (DoD) that maintains the Defense Enrollment and Eligibility Reporting System (DEERS) database which is the official source of data on eligibility for military medical care and other eligibility systems.

The DoD strongly supports the enforcement of the Servicemembers Civil Relief Act (50 USC App. § 501 et seq, as amended) (SCRA) (formerly known as the Soldiers' and Sailors' Civil Relief Act of 1940). DMDC has issued hundreds of thousands of "does not possess any information indicating that the individual is currently on active duty" responses, and has experienced only a small error rate. In the event the individual referenced above, or any family member, friend, or representative asserts in any manner that the individual was on active duty for the active duty status date, or is otherwise entitled to the protections of the SCRA, you are strongly encouraged to obtain further verification of the person's status by contacting that person's Service via the "defenselink.mil" URL: <http://www.defenselink.mil/faq/pis/PC09SLDR.html>. If you have evidence the person was on active duty for the active duty status date and you fail to obtain this additional Service verification, punitive provisions of the SCRA may be invoked against you. See 50 USC App. § 521(c).

This response reflects the following information: (1) The individual's Active Duty status on the Active Duty Status Date (2) Whether the individual left Active Duty status within 367 days preceding the Active Duty Status Date (3) Whether the individual or his/her unit received early notification to report for active duty on the Active Duty Status Date.

More information on "Active Duty Status"

Active duty status as reported in this certificate is defined in accordance with 10 USC § 101(d) (1). Prior to 2010 only some of the active duty periods less than 30 consecutive days in length were available. In the case of a member of the National Guard, this includes service under a call to active service authorized by the President or the Secretary of Defense under 32 USC § 502(f) for purposes of responding to a national emergency declared by the President and supported by Federal funds. All Active Guard Reserve (AGR) members must be assigned against an authorized mobilization position in the unit they support. This includes Navy Training and Administration of the Reserves (TARs), Marine Corps Active Reserve (ARs) and Coast Guard Reserve Program Administrator (RPAs). Active Duty status also applies to a Uniformed Service member who is an active duty commissioned officer of the U.S. Public Health Service or the National Oceanic and Atmospheric Administration (NOAA Commissioned Corps).

Coverage Under the SCRA is Broader in Some Cases

Coverage under the SCRA is broader in some cases and includes some categories of persons on active duty for purposes of the SCRA who would not be reported as on Active Duty under this certificate. SCRA protections are for Title 10 and Title 14 active duty records for all the Uniformed Services periods. Title 32 periods of Active Duty are not covered by SCRA, as defined in accordance with 10 USC § 101(d)(1).

Many times orders are amended to extend the period of active duty, which would extend SCRA protections. Persons seeking to rely on this website certification should check to make sure the orders on which SCRA protections are based have not been amended to extend the inclusive dates of service. Furthermore, some protections of the SCRA may extend to persons who have received orders to report for active duty or to be inducted, but who have not actually begun active duty or actually reported for induction. The Last Date on Active Duty entry is important because a number of protections of the SCRA extend beyond the last dates of active duty.

Those who could rely on this certificate are urged to seek qualified legal counsel to ensure that all rights guaranteed to Service members under the SCRA are protected

WARNING: This certificate was provided based on a last name, SSN/date of birth, and active duty status date provided by the requester. Providing erroneous information will cause an erroneous certificate to be provided.

Certificate ID: 35G582C9E036F10

Label Matrix for local noticing
0104-2
Case 11-07437-EAG13
District of Puerto Rico
Ponce
Tue Nov 12 10:15:03 AST 2013

BACK BOWL I LLC SERIES B
WEINSTEIN & RILEY P S
2001 WESTERN AVE SUITE 400
SEATTLE, WA 98121-3132

RELIABLE FINANCIAL SERVICES
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SAN JUAN, PR 00928-1382

US Bankruptcy Court District of PR
Jose V Toledo Fed Bldg & US Courthouse
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San Juan, PR 00901-1964

BANCO POPULAR DE PUERTO RICO
BANKRUPTCY DEPARTMENT
PO BOX 366818
SAN JUAN PR 00936-6818

BANCO POPULAR DE PUERTO RICO
CONSUMER CREDIT SERVICES DIVISION
PO BOX 71375
SAN JUAN, PR 00936-8475

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CARIBE COOP
PO BOX 560464
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CRIM
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FIA CARD SERVICES
PO BOX 15019
WILMINGTON, DE 19886-5019

(p)BANK OF AMERICA
PO BOX 982238
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ISLAND FINANCE
DIVISION OF SANTANDER FINANCIAL
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ALEJANDRO OLIVERAS RIVERA
ALEJANDRO OLIVERAS CHAPTER 13 TRUS
PO BOX 9024062
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BETZAIDA FERRER ALICEA
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YAUCO, PR 00698-9699

MADELINE SOTO PACHECO
LUBE & SOTO LAW OFFICES, P.S.C.
1130 AVE FD ROOSEVELT
SAN JUAN, PR 00920-2906

MONSITA LECAROEZ ARRIBAS
OFFICE OF THE US TRUSTEE (UST)
OCHOA BUILDING
500 TANCA STREET SUITE 301
SAN JUAN, PR 00901

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified
by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

FIA CARD SERVICES, N.A.
PO Box 15102
Wilmington, DE 19886-5102

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(d)RELIABLE FINANCIAL SERVICES	End of Label Matrix	
PO BOX 21382	Mailable recipients	22
SAN JUAN, PR 00928-1382	Bypassed recipients	1
	Total	23